

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

PALANI KARUPAIYAN,

Plaintiff,

v.

CVS HEALTH CORPORATION; AETNA;  
ACTIVE HEALTH MANAGEMENT;  
KALYANI LAKSHMI BELLAMKONDA;  
ROBERT DENNER; APN CONSULTING,  
INC.; VEDANT PATHAK; NEELA  
PATHAK; and PURVI JHALA,

Defendants.

19 Civ. 8814 (KPF)

**ORDER**

KATHERINE POLK FAILLA, District Judge:

The Court is in receipt of Plaintiff's submission requesting that the Court order Defendants to produce a laptop in discovery (Dkt. #51), as well as his submissions seeking to pursue a motion for summary judgment because of Defendants' purported destruction of evidence (Dkt. #52-53). There are currently two fully briefed motions to dismiss pending in this case. (*See* Dkt. #37, 42). It is the Court's practice to stay discovery pending resolution of the pending motions to dismiss, and accordingly the Court will not entertain Plaintiff's motion for discovery until after the pending motions are resolved. Similarly, Plaintiff's request to pursue a motion for summary judgment premised on theory that Defendants have destroyed evidence is premature. Therefore, Plaintiff's requests are hereby DENIED without prejudice. After the pending motions to dismiss are resolved, if appropriate, the Court will schedule a conference with the parties to discuss discovery and other outstanding

issues. The Clerk of Court is directed to terminate the motions pending at docket entries 51, 52, and 53.

SO ORDERED.

Dated: March 23, 2021  
New York, New York



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KATHERINE POLK FAILLA  
United States District Judge

*A copy of this Order has been emailed by Chambers to:*

[palanikay@gmail.com](mailto:palanikay@gmail.com)